



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 7

Dorsey & Whitney, L.L.P.
Suite 4700
370 Seventeenth Street
Denver, CO 80202-5647

COPY MAILED

JAN 3 0 2002

In re Application of:
Frankie, *et al.*
Application No. 09/865,995
Filed: May 25, 2001
Attorney Docket No. 5614.06

OFFICE OF PETITIONS

**DECISION GRANTING
PETITION**

This is a decision on the October 3, 2001 petition under 37 C.F.R. §1.10(c) requesting that the above-identified application be accorded a filing date of May 25, 2001, rather than the presently accorded filing date of May 21, 2001.

Petitioner alleges that the application was deposited in Express Mail service on May 25, 2001. In support, the petition is accompanied by a copy of Express Mail receipt no. EL779732834US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of May 25, 2001.

In view of the above, *this petition is **granted**.*

This application will be returned to Initial Patent Examination Division for correction of the filing date to May 25, 2001.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (703) 306-5593.

Scott M. Ledford
Attorney
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Examination Policy